S.B. Criminal Misc. Bail Application No.5160/2006

Date : 16.11.2006.

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. H.S. Sandhu for the applicants.
Mr. V.R. Metha, Public Prosecutor.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that cause of the death of the deceased as mentioned in the injury report is head injury and that injury has not been attributed to any of the accused applicants. He submits that though Kashmir Singh has been assigned having 'Gandasi' in his hand but on the person of Lali there is no injury by sharp edged weapon and the injuries are only bruises. He submits that charge-sheet has already been filed and the accused applicants are in jail since last six months, therefore, they may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully perused the material available on record.

Without expressing any opinion on the merit of the case while taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicants (1) Rajendar alias Raju s/o Chothu Ram (2) Mani Ram s/o Mula Ram (3) Mangla Ram s/o Mula Ram (4) Kashmir Singh s/o Laxman Singh and (5) Kaka Singh alias Kala Singh alias Dabbu s/o Laxman Singh shall be released on bail in FIR No.129 dated 11.5.2006 P.S. Ghadsana, District Sri Ganganagar, provided each of them executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for

their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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